

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MELINDA NOTT, : Case No. 3:11-cv-338

Plaintiff, : District Judge Timothy S. Black

- vs - : Magistrate Judge Michael R. Merz

COMMISSIONER OF SOCIAL SECURITY, :

Defendant. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #19), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, and for good cause shown upon the Court's de novo review, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Commissioner's decision that Plaintiff is not disabled and therefore not entitled to benefits under the Act is REVERSED. This matter is remanded to the Commissioner for the payment of benefits consistent with the Act.

September 24, 2012.

Timothy S. Black

Timothy S. Black
United States District Judge